

## **REMARKS**

The Office Action dated January 18, 2008, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 1-8 are pending and respectfully submitted for consideration.

### **Rejection Under 35 U.S.C. § 112**

Claims 1-8 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite because claim 1 includes the limitation "predetermined coefficient." The Office Action asserts that the specification does not provide guidance about the meaning or value of this limitation. Claim 1 has been amended responsive to this rejection to clarify how the value of this limitation is determined. The Applicants also note that the meaning and value of the predetermined coefficient is discussed on at least pages 6-7 and 13-14 of the present application. If any further amendment is required to overcome this rejection, the Examiner is requested to contact the undersigned representative.

### **Rejection Under 35 U.S.C. § 102**

Claims 1-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0110104 to King et al. ("King"). The Applicants traverse the rejection as follows.

Claim 1 recites, in part, a product ordering system for supplying products from a production source to a plurality of dealers in response to orders requesting supply of the products comprising, upper limit value-setting means for setting an upper limit value of an order quantity during the predetermined time period, for each of the dealers, according to the set estimated sales quantity and a predetermined coefficient, wherein the predetermined coefficient is determined based on a type of a product and at least

one selected from a group consisting of a suppliable quantity of the products and a delivery time of the product.

The Office Action cites paragraphs 0094] of King as teaching this feature of the invention. However, paragraph [0094] of King merely states that a customer demand pull is compared “with any restrictions or limitations on customer ordering, for example, a predefined “cap” placed to limit customer demands.” King notes that “customer caps are defined in inventory contracts.” In contrast, the claimed feature includes upper-limit value setting means for setting an upper limit value of an order quantity during a predetermined time period, for each of the dealers, according to the set estimated sales quantity and a predetermined coefficient, wherein the predetermined coefficient is determined based on a type of a product and at least one selected from a group consisting of a suppliable quantity of the products and a delivery time of the product.

King does not disclose or suggest upper limit value-setting means for setting an upper limit value of an order quantity *during a predetermined time period, for each of the dealers*. In addition, King does not disclose or suggest setting an upper limit value *according to estimated sales quantity and a predetermined coefficient*. In contrast, King compares an order to an available inventory. Furthermore, King does not disclose determining a predetermined coefficient, which is determined based on at least one selected from a group consisting of a suppliable quantity of the products and a delivery time of the product. King merely discloses comparing an order to an existing inventory.

Thus, the Applicants respectfully submit that King does not disclose or suggest the features of the invention as recited in claim 1.

To qualify as prior art under 35 U.S.C. § 102, each and every feature recited in a rejected claim must be disclosed by the applied art. Accordingly, King does not anticipate claim 1, nor is claim 1 obvious in view of King. Therefore, the Applicants submit that claim 1 is allowable over King.

The Applicants respectfully submit that claim 1 is allowable. Claims 2-8 depend from claim 1. The Applicants respectfully submit that these claims incorporate the patentable aspects thereof, and are therefore allowable for at least the same reasons as discussed above. Accordingly, the Applicants respectfully request withdrawal of the rejection, allowance of claims 1-8 and the prompt issuance of a Notice of Allowability.

### **Conclusion**

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 108419-00065.**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sheree Rowe", written in black ink.

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